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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,727	10/18/2000	SHINICHI UKON	ND-361US	3288

466 7590 09/30/2003

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EXAMINER

BUI, BING Q

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 09/30/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/690,727

Applicant(s)

UKON, SHINICHI

Examiner

Bing Q Bui

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/30/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to applicant's response filed on June 30, 2003. Claims 13-18 are now pending in the present application. **This action is made final.**

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (U.S. Patent No. 5,537,470) in view of Latter et al (US Pat No. 6,332,021), herein after referred as Latter.

Regarding claim 13, with respect to Figure 1, Lee teaches a method of automatically distributing calls from calling parties to agents in a telephonic service provider facility, the method comprising the steps of:

providing a database that associates specific calling parties with specific agents in the telephonic service provider facility, the database including call identifiers of the specific calling parties where the call identifiers are automatically recognizable and in signals received from the calling parties (see Fig. 2, step "212" and col. 4, ln 65 - col. 5, ln 12);

receiving a call from a calling party (see Fig. 2, step 224 and col. 5, lns 46 - 58);
automatically comparing a call identifier of the calling party to the call identifiers
in the database (see Fig. 2, step 224 and col. 5, lns 46 - 58);

if the call identifier of the calling party matches one of the call identifiers in the
database, attempting to connect the calling party to a specific one of the agents in the
telephonic service provider facility with whom the calling party has been associated in
the database (see Fig. 2, step 224 and col. 5, lns 46 - 58).

Lee fails to teach the step in which if the call identifier of the calling party is not
matched to one of the call identifiers in the database, providing a voice message to the
calling party urging the calling party to provide a further call identifier, comparing the
further call identifier to the call identifiers in the database, and if the further call identifier
matches one of the call identifiers in the database, attempting to connect the calling
party to a specific one of the agents in the telephonic service provider facility with whom
the calling party has been associated in the database.

However, with respect to Figure 6, Latter teaches a method for prompting a
message to request a caller to speak his/her name if the received PIN does not match
the stored value and subsequently, the information provided by the caller in response to
the prompt is compared for matching and as a result, the caller is immediately
connected to a called party if a match is found (see Fig 6, method steps are sequentially
performed as "660 670 610 620 630 660 680"; and col 6, lns 42-59). Therefore,
integrating Latter's teachings into call distributing system of Lee would have been
obvious for making call connection between parties appropriately.

Regarding claim 14, with respect to Figure 1, Lee further teaches the step of
providing a database comprises the step of associating a specific one of the calling
parties with a specific one of the agents before the specific one of the calling parties has

been served by any of the agents. (see Fig. 2, step "212" and col. 4, ln 65 - col. 5, ln 12).

Regarding claim 15, Lee further teaches the step of providing a database further comprises the step of associating a specific one of the calling parties with a specific one of the agents that has served the specific one of the calling parties. (see Fig. 2, steps "224", "228" and "232"; and col. 5, ln 49 - col. 6, ln 14).

As to claims 16-18, they are rejected for the same reasons set forth to rejecting claims 13-15 above, respectively, since claims 16-18 are merely a system for implementing the method defined in the method claims 13-15.

Response to Arguments

4. Applicant's arguments with respect to claims 13 and 16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakano (US Pat No. 5,268,958) discloses a method for allocating incoming call to a preferenced extension.

Brewster et al (US Pat No. 5,870,464) disclose a system and method for prompting a customer to enter his/her social security number if the received ANI is not matched in the customer's record.

Sherwood et al (US Pat No. 6,324,263) disclose a digital telephone system for automatic routing based upon caller ID.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

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Sep 22, 2003

A handwritten signature in cursive script, appearing to read "Bing Bui".

**BING BUI
PATENT EXAMINER**